

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE:

OPENAI, INC.,
COPYRIGHT INFRINGEMENT LITIGATION

This Document Relates To:

ZIFF DAVIS, INC. et al v. OPENAI, INC. et al.,
No. 1:25-cv-04315

25-md-03143 (SHS) (OTW)

**DECLARATION OF ANDREW M.
GASS IN SUPPORT OF OPENAI
DEFENDANTS' MOTION TO DISMISS**

I, Andrew M. Gass, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a partner at Latham & Watkins LLP, located at 505 Montgomery Street Suite 2000, San Francisco, California 94111, which represents OpenAI, Inc., OpenAI GP, LLC, OpenAI, LLC, OpenAI OpCo LLC, OpenAI Global LLC, OAI Corporation, and OpenAI Holdings, LLC (together, the "OpenAI Defendants") in the above-captioned litigation. I submit this declaration in support of the OpenAI Defendants' Motion to Dismiss Plaintiffs Ziff Davis, Inc., Ziff Davis, LLC, IGN Entertainment, Inc. and Everyday Health Media, LLC's Complaint (the "Ziff Davis Complaint").

2. Attached hereto as Exhibit A is a true and correct copy of the Ziff Davis Complaint.

I declare under penalty of perjury that the forgoing is true and correct.

Executed on June 10, 2025 in San Francisco, CA.

By: /s/ Andrew M. Gass
Andrew M. Gass